


Chapter: **RECIPIENT RIGHTS**
 Title: **DIGNITY/SERVICES SUITED TO CONDITION / HUMANE ENVIRONMENT/
 LEAST RESTRICTIVE TREATMENT ENVIRONMENT**

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Proposed by:  08/24/2022
 Chief Executive Officer Date

Approved by: Al Lorenzo 08/25/2022
 County Executive Office Date

I. ABSTRACT

This policy establishes the standards of Macomb County Community Mental Health (MCCMH), an official agency of the County of Macomb, regarding each recipient's right to be treated with dignity and respect; have mental health services offered in the least restrictive setting; have services provided in a humane treatment environment; and have services suited to the recipient's condition.

II. APPLICATION

This policy shall apply to directly-operated and contracted network providers of MCCMH.

III. POLICY

It is the policy of MCCMH that all recipients of services provided by MCCMH or its providers shall be treated with dignity and respect. Each MCCMH recipient shall receive services suited to his/her condition, in a treatment environment which offers the least restrictive setting that is appropriate and available to meet the recipient's needs.

IV. DEFINITIONS

A. Dignity

To be treated with esteem, honor, politeness; to be addressed in a manner that is not patronizing, condescending, or demeaning; to be treated as an equal; and to be treated the way any individual would like to be treated.

B. Family Member

A recipient's parent, stepparent, spouse, sibling, child, grandparent, or individual upon whom a recipient is dependent for at least 50% of his or her financial support.

- C. Person-Centered Planning
A process for planning and supporting the individual receiving services that builds upon the individual's capacity to engage in activities that promote community life and that honor the individual's preferences, choices, and abilities. The person-centered planning process involves family, friends, and professionals as the individual desires or requires.
- D. Respect
To show deferential regard for; to be treated with esteem, concern, consideration, or appreciation; to protect an individual's privacy; to be sensitive to cultural differences; and to allow an individual to make choices.

V. STANDARDS

- A. Dignity and Respect
 1. Recipients shall be regarded and addressed in a respectful and non-patronizing manner. Staff shall protect/respect each recipient's human rights, civil rights, and code-protected rights, which are set forth throughout Chapter 9 of the MCCMH MCO Policy Manual.
 2. Recipients shall be treated with respect, courtesy, and fairness during face-to-face, telephone, and written communications.
 3. Family members of recipients shall be treated with dignity and respect. They shall be given an opportunity to provide information to the treating professionals. They shall also be provided an opportunity to request and receive educational information about the nature of disorders, medications and their side effects, available support services, advocacy and support groups, financial assistance, and coping strategies.
 4. If an individual chosen by a recipient to participate in the plan of service process is not included because inclusion might constitute a substantial risk of physical or emotional harm to the recipient or substantial disruption of the planning process, justification for such exclusion shall be documented in the clinical record.
- B. Services Suited to Condition
 1. Each recipient provided services has a right to those mental health services suitable to his or her condition. A comprehensive assessment/analysis of a recipient's challenging behaviors shall be conducted as part of the initial assessment/intake and shall be reviewed and updated as necessary at the annual re-assessment (see MCCMH MCO Policy 2-014, "Assessment Services.")
 2. MCCMH provided mental health services shall include those mandated by statute, rule, policy and/or as stipulated by its contract with the Michigan Department of Health and Human Services (MDHHS). Additional mental health services which MCCMH has elected to provide may also be offered.

3. Provided/accepted mental health services suitable to a recipient's condition shall be in accordance with the written plan of service.
4. The written plan of service shall utilize a person-centered planning process in partnership with the recipient, parent(s) if the recipient is a minor, or a legally-empowered guardian, if applicable, and other individuals of the recipient's choice.
5. Individual behavior treatment plans developed during the person-centered planning process that propose restrictive or intrusive behavior treatment interventions shall be reviewed by the appropriate Behavior Treatment Plan Review Committee pursuant to the provisions of MCCMH MCO Policy 8-008, "Behavior Treatment Plan Review Committee." Any limitations or restrictions of a recipient's rights shall include documentation describing attempts to avoid such restrictions as well as what action will be taken as part of the plan to ameliorate or eliminate the need for restrictions in the future.
6. The written plan of service shall identify strategies for assuring that recipients have access to needed and available supports identified through a review of their needs. Areas of possible need may include any of the following: food, shelter, clothing, physical health care, employment, education, legal services, transportation, and recreation.
7. An applicant for Community Mental Health services who is denied service eligibility or inpatient hospitalization has the right to seek a second opinion pursuant to the provisions of MCCMH MCO Policy 4-005, "Second Opinion Rights."

C. Humane Treatment Environment

1. Recipients receiving mental health services through MCCMH shall be provided said services in a safe, sanitary, and humane treatment environment.
2. Provisions for the safety, sanitation and comfort of recipients shall be in compliance with the sanitation, health, and environmental safety codes of the applicable federal, state, and local authorities having primary jurisdiction/enforcement authority.

D. Least Restrictive Setting

1. Mental health services shall be offered in the least restrictive setting that is appropriate and available to meet each recipient's needs.
2. Mental health services offered shall be provided in the setting that minimizes restriction on the recipient's movement; affords protection against communicable disease and personal injury; provides treatment in the shortest practicable time; maximizes the recipient's ability to cope with as normal an environment as possible and which assists him/her to develop and realize potential abilities.

VI. PROCEDURES

None.

VII. REFERENCES / LEGAL AUTHORITY

- A. MCL 330.1708
- B. MCL 330.1711
- C. MCL 330.1712
- D. MDHHS Administrative Rules, R 330.7005, R 330.7012, R 330.7158
- E. MCCMH MCO Policy 2-014, "Assessment Services"
- F. MCCMH MCO Policy 4-005, "Second Opinion"
- G. MCCMH MCO Policy 8-008, "Behavior Treatment Plan Review Committee"
- H. MDHHS Residential Training on Recipient Rights

VIII. EXHIBITS

None.